IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.4357 OF 2004
IN
CRIMINAL APPEAL NO. 606 OF 1996

Ramchandra @ Ramesh
Pandurang Jadhav ...Applicant.

V/s

State of Maharashtra ...Respondent.
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Mr. Prakash Shetty for the applicant.

Mr. A.M. Shringarpure, APP for the respondent.

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CORAM: V.M. KANADE, J.
DATE : 8th December, 2004

P.C.:

1. Heard the learned Counsel appearing on behalf of the applicant.

2. Applicant seeks an order of abatement of appeal in respect of original accused No.5 who is appellant No.2 in the present appeal. He has annexed certified copy of the death certificate. Though time was given on four occasions to the respondent to verify the said fact about the death of the appellant No.2, so far, no instructions are received by the learned APP appearing on behalf of the respondent - State. Appeal against accused No.5 - appellant No.2 stands abated. Liberty, however, is given to the State to apply for

modification of the order if it is found that the death certificate is not genuine.

3. Application is allowed in terms of prayer clauses (b) and (c).

V.M. KANADE, J.